



0021187054

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2002-10-28 13:52:11

Cook County Recorder 42.50

PREPARED BY:

314351

Name: Charles Thompson
The Peoples Gas Light and Coke Company

Address: 130 East Randolph Drive
Chicago, Illinois 60601



0021187054

RETURN TO:

Name: Charles Thompson
The Peoples Gas Light and Coke Company

Address: 130 East Randolph Drive
Chicago, Illinois 60601

THE ABOVE SPACE FOR RECORDER'S OFFICE

This Environmental No Further Remediation Letter must be submitted by the remediation applicant within 45 days of its receipt, to the Office of the Recorder of Cook County.

Illinois State EPA Number: 0316025089

The Peoples Gas Light and Coke Company, the Remediation Applicant, whose address is 130 East Randolph Drive, Chicago, Illinois 60601 has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and identified by the following:

Legal description or Reference to a Plat Showing the Boundaries: LOT 15 (EXCEPT THE NORTH 16 FEET THEREOF), ALL OF LOTS 16 TO 27 AND LOT 28 (EXCEPT THE SOUTH 16 FEET THEREOF), ALL THAT PART OF THE NORTH AND SOUTH ALLEY VACATED BY DOCUMENT NO. 10549013, LYING WEST OF AND ADJOINING LOTS 15 TO 28 (EXCEPT THE NORTH 16 FEET OF LOT 15 AND EXCEPT THE SOUTH 16 FEET OF LOT 28), ALL THAT PART OF NORTH SHORE AVENUE VACATED BY DOCUMENT NUMBER 10549013, LYING SOUTH OF AND ADJOINING LOT 19 AND THE SOUTH LINE OF LOT 19 PRODUCED WEST TO THE WEST LINE OF THE NORTH AND SOUTH ALLEY LYING WEST AND ADJOINING THE WEST LINE OF SAID LOT 19 AND LYING NORTH AND ADJOINING THE NORTH LINE OF LOT 20 AND THE NORTH LINE OF SAID LOT 20 PRODUCED WEST TO THE WEST LINE OF THE NORTH AND SOUTH ALLEY LYING WEST AND ADJOINING THE WEST LINE OF SAID LOT 20 IN SALINGER AND HUBBARD'S SECOND ADDITION TO RODGER'S PARK, AND THAT PART OF LOT 2 (EXCEPT THE WEST 66 FEET THEREOF) IN THE SUBDIVISION OF THE WEST HALF (IN AREA) OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 36, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE INDIAN BOUNDARY LINE, IN COOK COUNTY, ILLINOIS, AND THAT PART LYING EAST OF LOT 2, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 2 THENCE SOUTH 89°51'56" WEST, 103.03 FEET TO THE POINT OF BEGINNING; THENCE NORTH 02°40'47" EAST, 489.77 FEET; THENCE NORTH 89°51'56" EAST, 134.84 FEET; THENCE SOUTH 02°34'16" WEST, 7.60 FEET;

(Illinois EPA Site Remediation Program Environmental Notice)

THENCE NORTH 89°51'56" EAST, 118.16 FEET TO THE WEST RIGHT OF WAY LINE OF WHIPPLE STREET; THENCE SOUTH 01°40'44" WEST ALONG SAID RIGHT OF WAY LINE OF NORTH WHIPPLE STREET, 453.20 FEET; THENCE SOUTH 89°51'56" WEST, 125.23 FEET; THENCE SOUTH 02°34'16" WEST, 28.64 FEET; THENCE SOUTH 89°51'56" WEST, 135.77 FEET TO THE POINT OF BEGINNING.

2. Common Address: 6712 North Whipple Street, Chicago IL
3. Real Estate Tax Index/Parcel Index Number: 10-36-301-015-0000
4. Remediation Site Owner: The Peoples Gas Light and Coke Company
5. Land Use: Residential or Industrial/Commercial
6. Site Investigation: Comprehensive

See NFR letter for other terms.

Rec'd
10/9/02

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

RENEE CIPRIANO, DIRECTOR

(217) 782-6761

October 8, 2002

CERTIFIED MAIL

Charles Thompson
The Peoples Gas Light and Coke Company
130 East Randolph Drive
Chicago, Illinois 60601

Re: 0316025089/Cook County
Chicago/Rogers Park Sub-Shop East Parcel
Site Remediation Program/Technical Reports

Dear Mr. Thompson:

The *Remediation Objectives Report/Remedial Action Plan/Remedial Action Completion Report* dated May 2002 (May 29, 2002/02-1996), as prepared by Burns & McDonnell Engineering Company, Inc. for the Rogers Park Sub-Shop East Parcel property, has been reviewed by the Illinois Environmental Protection Agency ("Illinois EPA") and demonstrates that the remedial action was completed in accordance with the 35 Illinois Administrative Code Parts 740 and 742.

The Remediation Site, consisting of approximately 2.8 acres, is located at 6712 North Whipple Street, Chicago, Illinois. Pursuant to Section 58.10 of the Illinois Environmental Protection Act ("Act") (415 ILCS 5/1 et seq.), your request for a no further remediation determination is granted under the conditions and terms specified in this letter. The Remediation Applicant, as identified on the Illinois EPA's Site Remediation Program DRM-1 Form (February 1, 2002 /02-0401), is The Peoples Gas Light and Coke Company.

This comprehensive No Further Remediation Letter ("Letter") signifies a release from further responsibilities under the Act for the performance of the approved remedial action. This Letter shall be considered prima facie evidence that the Remediation Site described in the attached Illinois EPA Site Remediation Program Environmental Notice and shown in the attached Site Base Map does not constitute a threat to human health and the environment and does not require further remediation under the Act if utilized in accordance with the terms of this Letter.

GEORGE H. RYAN, GOVERNOR

Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The Remediation Site is approved for Residential or Industrial/Commercial land use.
- 2) The land use specified in this Letter may be revised if:
 - a) Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - b) A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.


Other Terms

- 3) Where the Remediation Applicant is not the sole owner of the Remediation Site, the Remediation Applicant shall complete the attached *Property Owner Certification of the No Further Remediation Letter under the Site Remediation Program* Form. This certification, by original signature of each property owner, or the authorized agent of the owner(s), of the Remediation Site or any portion thereof who is not a Remediation Applicant shall be recorded along with this Letter.
- 4) Further information regarding this Remediation Site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Attn: Freedom of Information Act Officer
Bureau of Land-#24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276
- 5) Pursuant to Section 58.10(f) of the Act (415 ILCS 5/58.10(f)), should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the Remediation Applicant at the last known address. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the voidance of the Letter under Sections 58.10(e)(1)-(7) of the Act (415 ILCS 5/58.10(e)(1)-(7)) include, but shall not be limited to:
 - a) Any violation of institutional controls or the designated land use restrictions;
 - b) The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
 - c) The disturbance or removal of contamination that has been left in-place in accordance with the Remedial Action Plan. Access to soil contamination may be allowed if, during and after any access, public health and the environment are protected consistent with the Remedial Action Plan;

- d) The failure to comply with the recording requirements for this Letter;
 - e) Obtaining the Letter by fraud or misrepresentation;
 - f) Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment;
 - g) The failure to pay the No Further Remediation Assessment Fee within forty-five (45) days after receiving a request for payment from the Illinois EPA;
 - h) The failure to pay in full the applicable fees under the Review and Evaluation Services Agreement within forty-five (45) days after receiving a request for payment from the Illinois EPA.
- 6) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) The Peoples Gas Light and Coke Company;
 - b) The owner and operator of the Remediation Site;
 - c) Any parent corporation or subsidiary of the owner of the Remediation Site;
 - d) Any co-owner, either by joint-tenancy, right of survivorship, or any other party sharing a relationship with the owner of the Remediation Site;
 - e) Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable, involving the Remediation Site;
 - f) Any mortgagee or trustee of a deed of trust of the owner of the Remediation Site or any assignee, transferee, or any successor-in-interest thereto;
 - g) Any successor-in-interest of the owner of the Remediation Site;
 - h) Any transferee of the owner of the Remediation Site whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest;
 - i) Any heir or devisee of the owner of the Remediation Site;
 - j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the Remediation Site through foreclosure or under the terms of a security interest held by the financial institution, under the terms of an extension of credit made by the financial institution, or any successor-in-interest thereto; or

- Robert E. O'Hara
Illinois Environmental Protection Agency
Bureau of Land/RPMS
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

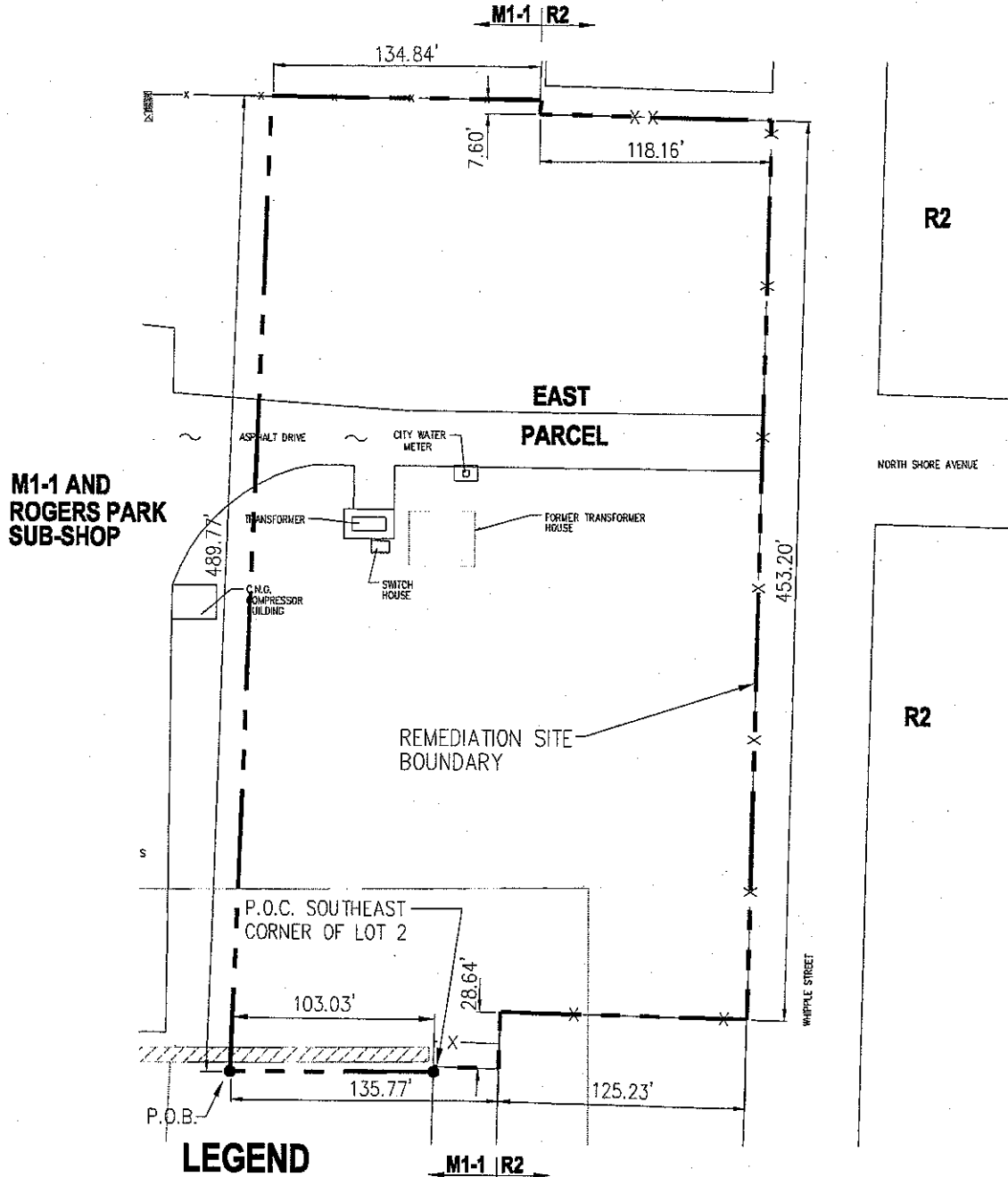
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Lawrence W. Eastep, P.E., Manager
Remedial Project Management Section
Division of Remediation Management
Bureau of Land

Attachments(3): Illinois EPA Site Remediation Program Environmental Notice
Site Base Map
Property Owner Certification of No Further Remediation Letter under the
Site Remediation Program Form

cc: Margaret H. Kelley
Burns & McDonnell
2601 West 22nd Street
Oak Brook Illinois 60523-1229

Site Base Map
0316025089 – Cook County
Chicago/The Rogers Park Sub-Shop
East Parcel
Site Remediation Program

0021187054



LEGEND

M1-1

R2

P.O.B.

P.O.C.

REMEDATION SITE BOUNDARY
RESTRICTED MANUFACTURING DISTRICT

SINGLE FAMILY RESIDENCE

POINT OF BEGINNING

POINT OF COMMENCEMENT



NOTE:

ZONING LOCATIONS ARE APPROXIMATE BASED ON CHICAGO ZONING ORDINANCE (WEB VERSION, JULY 2002)



REMEDATION BOUNDARY PLAN
ROGERS PARK SUB-SHOP – EAST PARCEL
THE PEOPLES GAS LIGHT AND COKE COMPANY
CHICAGO, ILLINOIS

**PROPERTY OWNER CERTIFICATION OF THE NFR LETTER
UNDER THE SITE REMEDIATION PROGRAM**

If the Remediation Applicant is not the sole owner of the remediation site, include the full legal name, title, the company, the street address, the city, the state, the ZIP code, and the telephone number of all other property owners. Include the site name, street address, city, ZIP code, county, Illinois inventory identification number and real estate tax index/parcel index number. The property owner(s), or the duly authorized agent of the owner(s) must certify, by original signature, the statement appearing below.

A duly authorized agent means a person who is authorized by written consent or by law to act on behalf of a property owner including, but not limited to:

1. For corporations, a principal executive officer of at least the level of vice-president;
2. For a sole proprietorship or partnership, the proprietor or a general partner, respectively; and
3. For a municipality, state or other public agency, the head of the agency or ranking elected official.

For multiple property owners, attach additional sheets containing the information described above, along with a signed, dated certification for each. All property owner certifications must be recorded along with the attached NFR letter.

Property Owner Information	
Owner's Name: _____	
Title: _____	
Company: _____	
Street Address: _____	
City: _____	State: _____ Zip Code: _____ Phone: _____
Site Information	
Site Name: _____	
Site Address: _____	
City: _____	State: _____ Zip Code: _____ County: _____
Illinois inventory identification number: _____	
Real Estate Tax Index/Parcel Index No. _____	
<p>I hereby certify that I have reviewed the attached No Further Remediation Letter and that I accept the terms and conditions and any land use limitations set forth in the letter.</p> <p>Owner's Signature: _____ Date: _____</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME this _____ day of _____, 20__</p> <p>_____ Notary Public</p>	

The Illinois EPA is authorized to require this information under Sections 415 ILCS 5/58 - 58.12 of the Environmental Protection Act and regulations promulgated thereunder. If the Remediation Applicant is not also the sole owner of the remediation site, this form must be completed by all owners of the remediation site and recorded with the NFR Letter. Failure to do so may void the NFR Letter. This form has been approved by the Forms Management Center. All information submitted to the Site Remediation Program is available to the public except when specifically designated by the Remediation Applicant to be treated confidentially as a trade secret or secret process in accordance with the Illinois Compiled Statutes, Section 7(a) of the Environmental Protection Act, applicable Rules and Regulations of the Illinois Pollution Control Board and applicable Illinois EPA rules and guidelines.

bcc: Records Unit
Bob O'Hara
Ginger Miller